

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

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U.S. BANKRUPTCY COURT
MINNEAPOLIS, MN

In re:

Paul Hansmeier,

Debtor.

BKY No. 15-42460

Randall L. Seaver, Trustee,

Plaintiff,

v.

ADV No. 16-04018

Paul Hansmeier and Padraigin Browne,

Defendants.

**DEFENDANT PAUL HANSMEIER'S CORRECTED¹ OPPOSITION TO THE
CHAPTER 7 TRUSTEE'S MOTION FOR PARTIAL SUMMARY JUDGMENT**

The Chapter 7 Trustee has filed a motion for partial summary judgment that fails entirely under the Supreme Court's precedent laid down in *Law v. Siegel*, 134 S. Ct. 1188 (2014). Specifically, the Trustee's request depends centrally on his request that the Court equitably reduce the Minnesota homestead exemption. That request conflicts directly with the Supreme Court's recent *Law* decision. The *Law* decision holds that Congress exhaustively occupied the field of exemptions, and reductions thereto, and that there is no

¹ The filing submitted by Hansmeier on May 13, 2016, was a non-final draft of this brief. Hansmeier apparently submitted the wrong brief when he sent the brief out for filing with the Court. Hansmeier apologizes to the Court and the parties to this case for submitting the non-final draft.

basis for an equitable reduction of the homestead exemption by a bankruptcy court. The *Law* decision was handed down in a case involving extreme fraud. Although the Supreme Court was sympathetic to the trustee regarding the equities of the situation, it nevertheless concluded that Congress made difficult balancing decisions in drafting the exemption provisions of the Bankruptcy Code and was unwilling to upset those decisions.

Respectfully submitted,

PAUL HANSMEIER

Dated: May 16, 2016

By: /e/ Paul R. Hansmeier
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